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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Andrew S. Hildebrant, et al.

Serial No.: 10/681,068

Examiner: Frank M. Leiva

Filing Date: October 7, 2003

Group Art Unit: 3714

Title: COST ESTIMATION FOR DEVICE TESTING

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, October 28, 2008, rejecting the following claims 1-17.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$30.00. \$510.00 was paid during a previous
(complete (a) or (b) as applicable) appeal attempt.

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- | | | |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | one month | \$ 120.00 |
| <input type="checkbox"/> | two months | \$ 460.00 |
| <input type="checkbox"/> | three months | \$1050.00 |
| <input type="checkbox"/> | four months | \$1640.00 |

☐ The extension fee has already been filled in this application.

☒ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **50-4018** the sum of \$30.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-4018** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

02/02/2009 HBELE1 00000065 504018 10681068
01 FC:1401 510.00 DA

Respectfully submitted,

Andrew S. Hildebrant, et al.

By /Gregory W. Osterloth/

Gregory W. Osterloth
Attorney/Agent for Applicant(s)

Reg. No. 36,232

Date: January 28, 2009

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: January 28, 2009 OR

☐ I hereby certify that this paper is being filed with the USPTO via EFS on the date shown below.

Date of Filing:

Typed Name: Gregory W. Osterloth

Signature: /Gregory W. Osterloth/

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